

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA )  
                                  )  
                                  )  
                                 vs. )  
                                  )  
                                  )  
THOMAS TRAFICANTE )  
Defendant.                 )

Case No. 6:18-CR-06034-001



MOTION REQUESTING RETURN OF PERSONAL PROPERTY

If it pleases the Court, NOW COMES, THOMAS TRAFICANTE, Defendant, pro se, sui juris, in proprio, and muto, persona, and in the greater interest, and pursuit, of justice, who respectfully requests, moves, and prays, that this AUGUST Court hold him to less stringent standards than those attributed to a more well-seasoned attorney. See, Haines v. Kerner, 404 US 519-21 (1972).

Upon Defendant's arrest, in the above-captioned, instant case, and matter, at hand, the following list of personal property items were seized, and confiscated:

1. Apple MacBook Pro
2. American Flag Laptop Case
3. Two (2) Apple iPhones; One (1) Black; One (1) White.
4. Two (2) Apple iPhone Cases

5. Blackberry Cellphone
6. X-Box 360
7. Computer Tower (Grey)
8. Wireless Receiver (XDS)
9. Three (3) Portable Hard Drives: Two (2) Black; One (1) Silver.

JURISDICTION AND VENUE

Defendant respectfully moves, pursuant to the Federal Rules of Criminal, and Civil, Procedure, as well as the claims, and arguments, herein.

Defendant respectfully reminds this Court that he is INDEED, a pro se litigant, and layman at law, and that, as a constitutionally recognized pro se litigant, Defendant respectfully wishes to re-affirm his belief and commitment, to this Court, to pursue the instant MOTION, and litigation, and that he is immensely grateful for this Court's patience, while he exercises said constitutionally recognized right to do so, under the law.

Defendant alleges, asserts, believes, and contends, that, SPECIFICALLY, the instant MOTION "...falls under the umbrella..." of the claims, and arguments, therein.

Defendant is, now, exercising said constitutionally recognized Sixth Amendment right to file said MOTION, with this

Court, who, he believes, and contends, maintains proper jurisdictional authority, and venue.

The primordial, and jurisdictional, claims, and arguments, as are presented in the within, remain such that remedial litigation occurs in District Court that originally sentenced him.

Defendant respectfully submits said MOTION in support of said claims, and arguments, therein, and avers to the following STATEMENTS OF FACT.

STATEMENTS OF FACT

What Defendant is respectfully requesting from this Court is that the above referenced list of personal property items BE RETURNED, FORTHWITH, to Defendant, as NONE OF THESE ITEMS were deemed to contain any evidentiary material pertinent to said instant case, and matter, at hand.

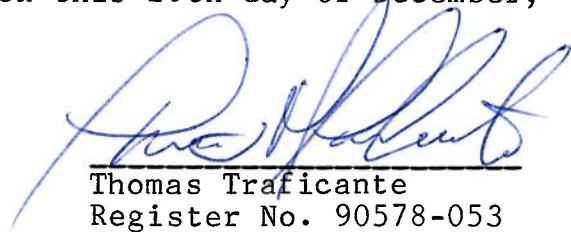
Defendant respectfully directs this Court's attention to the fact that HE IS WILLING TO FORFEIT any other personal property that was seized, and confiscated, at his arrest; ASIDE and APART from the said above-referenced list of personal property items.

CONCLUSION AND RELIEF SOUGHT

WHEREFORE, and in the greater interest, and pursuit, of justice, Defendant respectfully requests, moves, and prays, that this AUGUST Court ISSUE an ORDER GRANTING Defendant's instant MOTION, that the above-referenced list of personal property items BE RETURNED, FORTHWITH, to Defendant, as is described in the above-captioned case, matter, and instant MOTION, at hand.

In closing, Defendant, also, respectfully prays that this Court follow the issues, facts, and information, provided in the instant MOTION, to its most logical conclusion(s), and GRANT him said instant MOTION, IN ITS ENTIRETY, as well as any further RELIEF, AND SATISFACTION, that this Court may deem necessary, appropriate, and proper.

Respectfully submitted on this 10th day of December,  
2018.

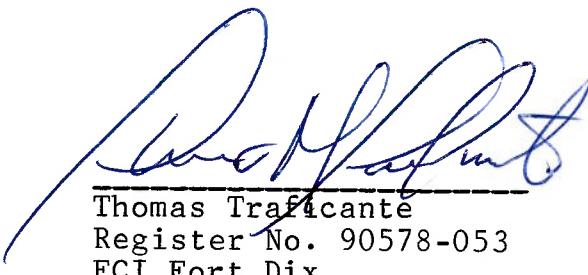


Thomas Traficante  
Register No. 90578-053  
FCI Fort Dix  
PO Box 2000  
Joint Base MDL, NJ 08640

CERTIFICATE OF SERVICE

I, THOMAS TRAFICANTE, Defendant, HEREBY CERTIFY, upon penalty of perjury that, on this 10th day of December, 2018, I mailed a true, and accurate, copy of the within instant MOTION REQUESTING RETURN OF PERSONAL PROPERTY, via the US Post Office, first class mail, postage pre-paid, to the following party:

Melissa Marangola, AUSA  
US Attorney's Office  
100 State Street  
Rochester, NY 14614

  
Thomas Traficante  
Register No. 90578-053  
FCI Fort Dix  
PO Box 2000  
Joint Base MDL, NJ 08640